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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/710,497	07/15/2004	Bogdan Radu	MASL-45	4496

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WOOD, HERRON & EVANS, LLP (LEAR)
2700 CAREW TOWER
441 VINE STREET
CINCINNATI, OH 45202

EXAMINER

BLANKENSHIP, GREGORY A

ART UNIT	PAPER NUMBER
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3612

DATE MAILED: 07/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/710,497	Applicant(s) RADU ET AL.	
	Examiner Greg Blankenship	Art Unit 3612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 18 and 19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-9, 18 and 19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>7/5/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 6-8, 18, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tiesler et al. (6,575,528).

Tiesler et al. disclose an automotive interior trim assembly comprising a substrate (60) and a storage compartment coupled to the substrate and adapted to store items. The storage compartment is comprised of a compartment body (36) that defines a cavity for storing items and has integral connecting members formed therein on element (40), as seen in Figure 2. A cover (50) has integral connecting members (52) formed therein to couple with the connecting members of the compartment body. The cover body (50) can be moved between an open position that allows one to access the cavity through opening (54) of the compartment body and a closed position where the cover overlies the opening (54). In reference to claim 6, the cover (54) is pivotally moved between the open and closed positions. In reference to claim 18, the automotive interior assembly includes a first member (36) having at least one connecting member integrally formed therein, as seen in Figure 2, and a second member (50) with at least one connecting member (52) integrally formed therein, as seen in Figure 2. The first member connecting members cooperate with the second member connecting members (52) to pivotally couple the first member to the second

Art Unit: 3612

member. In reference to claim 19, the first member is a compartment body and the second member is a cover. However, Tiesler et al. do not disclose the claimed materials for the compartment body and cover.

Official notice is being taken that polybutylene terephthalate and polypropylene are well known in the automotive art, are commonly used to form parts of interior trim assemblies, and have known properties.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to:

form the compartment body of Tiesler et al. of polybutylene terephthalate, and
form the cover of Tiesler et al. of polypropylene,

as an obvious expedients to provide the components with the desired look, feel, weight, and strength resulting in the compartment body being formed of a material with a melting point higher than the melting point of the material that forms the cover.

3. Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination, as applied to claim 1.

In reference to claims 2 and 4, Tiesler et al., as modified, discloses the body connecting members formed with receiving portions that define a bore that extends from left to right, as seen in Figure 2. The cover connecting members (52) comprise projection portions that are received in the body connecting members. In reference to claim 3, the projection portions are pins, as broadly claimed. However, Tiesler et al. do not disclose the receiving portion being located on the cover and the projecting portion being located on the compartment body.

Art Unit: 3612

It would have been obvious to one of ordinary skill in the art at the time the invention was made to:

form the receiving portions at the end of the cover connecting members instead of the compartment body of Tiesler et al., and

form the projecting portions on the compartment body instead of the cover of Tiesler et al.,

as an obvious expedient that will result in a pivotal connection between the cover and the compartment body without any decrease in functionality.

4. Claims 1 and 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cannon et al. (6,116,672) in view of Tiesler et al. (6,575,528).

Cannon et al. disclose an automotive trim including a substrate (18) that is coupled to a storage compartment (24). The storage compartment is formed of a compartment body (26) that defines a cavity and has openings, as seen in Figures 1 and 2a. A cover is pivotally coupled to the compartment body, as seen in Figures 1 and 2a. In reference to claim 9, the trim assembly is a door panel. However, Cannon et al. do not disclose the claimed connecting members or the claimed materials.

Tiesler et al. teach integrally forming connecting members to a compartment body (36) and a cover (50) such that the connecting members cooperate with one another to allow the cover to pivot between open and closed positions.

Official notice is being taken that polybutylene terephthalate and polypropylene are well known in the automotive art, are commonly used to form parts of interior trim assemblies, and have known properties.

Art Unit: 3612

It would have been obvious to one of ordinary skill in the art at the time the invention was made to:

form the compartment body of Cannon et al. with integral connecting members, as taught by Tiesler et al.,

form the cover of Cannon et al. with integral connecting members, as taught by Tiesler et al., that cooperate with the body connecting members to form a hinge between the cover and the compartment body,

form the compartment body of Cannon et al. of polybutylene terephthalate, and

form the cover of Cannon et al. of polypropylene,

as an obvious expedients to provide the components with the desired look, feel, weight, and strength resulting in the compartment body being formed of a material with a melting point higher than the melting point of the material that forms the cover.

Allowable Subject Matter

5. Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

6. Applicant's arguments filed 6/1/2006 have been fully considered but they are not persuasive. The applicant has argued that there is no teaching or suggestion to form the compartment body of a first material and to form the cover from a second material having a different melting point from the first material. The rejection is not based on one of ordinary skilled in the art selecting the materials based on the melting points. It is based on the selection of materials based on other known properties of the materials like strength, weight, textures, etc.. The

Art Unit: 3612

use of the claimed materials to form interior vehicle parts, like the ones of Tiesler, is well known in the art. Forming an interior vehicle structure using different materials for separate parts of the structure to optimize the structure is also well known. The rejection is based on one skilled in the art optimizing the manufacture of the structure of Tiesler by selecting materials that provide the desired look, feel, weight, and strength. The result is a compartment body that is formed of one material that has a melting point that is different from the melting point of the material that forms the cover.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

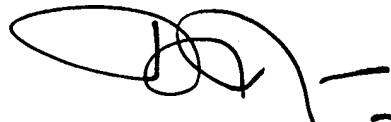
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Blankenship whose telephone number is 571-272-6656. The examiner can normally be reached on 7-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on 571-272-6659. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3612

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

gab
July 18, 2006


D. GLENN DAYOAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600
7/24/06